



UNITED STATES MARINE CORPS
MARINE AIR GROUND TASK FORCE TRAINING COMMAND
MARINE CORPS AIR GROUND COMBAT CENTER
BOX 788100
TWENTYNINE PALMS, CALIFORNIA 92278-8100

CCO 5090.4A

9

AUG 15 2002

COMBAT CENTER ORDER 5090.4A

w/ch 1

From: Commanding General

To: Distribution List

Subj: NATIONAL ENVIRONMENTAL POLICY ACT (NEPA) COMPLIANCE

Ref: (a) MCO P5090.2

(b) CCO P3500.4F

Encl: (1) Environmental Documentation Process

(2) Request for Environmental Impact Review (REIR) Form

(3) List of Approved Categorical Exclusions (CATX)

(4) Decision Memorandum Format

(5) Definitions

1. Situation. To supplement the references by providing policy and assigning responsibilities for the consideration of environmental consequences of actions conducted aboard or by the Marine Corps Air Ground Combat Center (MCAGCC), Marine Air Ground Task Force Training Command (MAGTFCTC), Twentynine Palms, California. Enclosure (1) outlines the documentation process.

2. Cancellation. CCO 5090.4.

3. Mission. This Order contains significant revisions, and should be reviewed in its entirety. In addition to the National Environmental Policy Act (NEPA) planning and documentation process, this Order reaffirms two organizations in the NEPA decision making process, the Environmental Impact Working Group (EIWG) and the Environmental Impact Review Board (EIRB). It also establishes the Environmental Compliance Review Board (ECRB) to consider current environmental compliance and protection issues as needed.

4. Execution

a. Chief of Staff. Serve as the chairman of the MAGTFCTC EIRB and the ECRB.

b. Director, Installation and Logistics (I&L) Directorate. Serve as a member of the EIRB.

c. Head, Natural Resources and Environmental Affairs (NREA) Division

(1) Develop and oversee the implementation and execution of programs which document the consideration of environmental impacts and achieve compliance with the goals and objectives of the references.

(2) Coordinate with the action sponsor and lead department for assistance in the preparation of the Request for Environmental Impact Review (REIR) Form provided in enclosure (2), the Environmental Assessment (EA), the Environmental Impact Statement (EIS), Finding of No Significant Impact (FONSI) or Record of Decision (ROD).

(3) Serve as the Executive Agent for the EIRB and ECRB.

(4) Provide environmental planning assistance and regulatory consultation for environmental documentation developed through the NEPA process as requested by the action sponsor and lead department; actively participate in the review and evaluation of environmental documents and impacts at initial planning stages and at each subsequent procedural step or decision milestone; provide comments and recommendations regarding sensitive resources and environmental concerns to the action sponsor and lead department.

(5) Establish the EIWG, and appoint an appropriate representative to chair. Ensure that the NREA Cultural Resource Specialist and Ecologist are designated as standing members of the EIWG. Per the recommendation of the EIWG, determine appropriate application of a CATX from the list provided in enclosure (3), recommend preparation of an EA or EIS, or recommend an alternative to the proposed action.

(6) In cases where a categorical exclusion applies to the proposed action and a memorandum of record is required, sign the REIR or Decision Memorandum (enclosure (4)).

(7) Provide a validated Geographical Information System (GIS) Natural Resources overlay to MAGTFTC lead staff sections and environmental staff of tenant commands and major subordinate commands as required.

(8) Conduct quarterly inspections of planning documentation and of actions during implementation, to ensure compliance with NEPA requirements.

(9) Retain on file for a period of not less than ten years from the completion of the proposed action, copies of all Decision Records, Decision Memoranda, completed EAs and EISs, published FONSIIs, RODs and minutes taken during EIRB and EIWG meetings; provide copies of Decision Memoranda, FONSIIs, EAs, EISs and minutes of EIRB meetings to CMC (LFL), as appropriate.

(10) As Executive Agent of the ECRB, brief and make recommendations to the Commanding General and/or the Executive Steering Committee on behalf of the ECRB, on issues regarding environmental compliance.

(11) Act as Chairperson of the ECRB in the absence of the Chairperson.

d. Head, Facilities Management Division (FMD)

(1) Participate as a standing member of the EIRB/ECRB and designate appropriate ad hoc representatives to the EIWG.

(2) As lead department for approval of facilities repair, construction and maintenance, and real estate licenses, serve as the principal point of contact for action sponsor proposals and ensure documentation of environmental considerations is accomplished prior to initiation of all construction, repair and maintenance projects, and prior to issuance of real estate licenses.

(3) Ensure that cost estimates for funds required for NEPA documentation are reflected on all DD Forms 1391 for M1, R1, M2, R2, and Military Construction (MILCON) projects.

(4) Coordinate the review and evaluation of environmental impacts with the Head, NREA for the development of construction, renovation, repairs and maintenance projects conducted by the MAGTF/TC, tenant and licensed activities; obtain comments and recommendations from Head NREA as required.

(5) Assign a single point of contact at the Facilities Management Division (FMD) to ensure that a decision memorandum or REIR form is completed on all projects and forwarded to NREA for review, concurrence and signature. Provide a status spreadsheet to NREA with an update of all projects, real estate/lease actions being planned, the NEPA documentation being planned or anticipated and status.

e. Director, Operations and Training (O&T) Directorate

(1) Participate as a standing member of the EIRB/ECRB. Designate an appropriate representative to the EIWG.

(2) As lead department for land use and military training, serve as the principal point of contact for action sponsor proposals, and ensure appropriate environmental documentation is completed prior to approval of land use requested by resident and non-resident action sponsors, and all range construction, repair and maintenance projects.

(3) Require units to certify that the environmental requirements of reference (a) will be met.

(4) Assign a single point of contact at the O&T Directorate to ensure that an REIR is completed on all proposed O&T projects and actions and forwarded to NREA for review and concurrence.

f. Director, Marine Corps Community Services (MCCS) Directorate

(1) Participate as a standing member of the EIRB/ECRB and designate an appropriate representative to the EIWG.

(2) As lead department for approval of recreational activities and MCCS self-help construction, repair and maintenance projects, serve as the principal point of contact for action sponsor proposals and ensure environmental considerations are documented prior to approval of recreational activities and construction, repair and maintenance projects.

(3) Review and evaluate environmental impacts at initial planning stages and at each subsequent procedural step or decision milestone for the development of construction, renovation, repairs and maintenance projects conducted by MAGTF/TC, tenant and requesting activities.

(4) Assign a single point of contact at the MCCS to ensure that all projects are documented on a REIR form and submitted to NREA for review, concurrence and signature.

g. Officer in Charge, Reserve Support Unit (RSU). Coordinate and disseminate applicable requirements of this Order to all reserve units (Marine Corps, Navy, Army, Air Force and National Guard) and other sponsored military or civilian personnel desiring to conduct field training or operational activities aboard MCAGCC, and provide assistance in developing required environmental documentation.

h. Staff Judge Advocate (SJA)

(1) Participate as a standing member of the EIRB/ECRB and designate an appropriate representative to the EIWG.

(2) Provide continual review of the MAGTF/TC NEPA process to assure compliance with the spirit and intent of the Act; review NEPA decision-making for compliance with applicable laws and regulations, and advise the Commanding General and/or staff of appropriate subsequent action.

(3) Coordinate with the Western Area Counsel Office (WACO) as required.

i. Action Sponsors

(1) Analyze and document, with assistance from the NREA Division, environmental impacts for all proposed actions per the provisions of this Order. Prepare all consultations, supporting studies, permits and required NEPA documents. Ensure that no irretrievable, irreversible commitment of resources is taken prior to completion of the NEPA process.

(2) Coordinate with the appropriate MAGTF/TC lead department, or MAGTF/TC environmental staff, during the initial planning stages to determine the level of NEPA documentation required for the proposed action.

(3) Prepare and submit all required descriptions for proposed actions, review and submit regular, recurring, and like actions for consideration as a programmatic or group environmental document.

(4) Fund preparation of environmental documentation including EAs and EISs, related scientific studies, construction permits, and mitigation requirements.

(5) Represent proposed actions during the review process, attend EIWG and EIRB meetings as proposed actions are considered and describe proposed actions, environmental analysis and mitigation commitments to the board.

(6) Take appropriate mitigating action and ensure compliance with the conditions of the Decision Memorandum, FONSI or ROD.

(7) Fund and implement necessary corrective action resulting from failure to comply with the provisions of this Order.

(8) If the action sponsor proposes an action that has the potential to impact property outside the physical boundary of the installation (e.g., a training exercise on Bureau of Land Management Lands), the action sponsor shall be responsible for establishing and conducting their own EIRB; performing their own NEPA analysis; signing of all finding and record documents; and compliance with all requirements set forth in reference (a).

j. Tenant Commanders/Organizations and Federal Agencies operating aboard MCAGCC

(1) Serve as action sponsor for actions proposed to be conducted by the respective command, agency, or organization. For actions requiring MAGTF/TC review and concurrence, prepare and submit required documentation to

the appropriate MAGTFTC staff section, and participate in the MAGTFTC EIWG and EIRB meetings as proposals are considered.

~~(2) Appoint an environmental coordinator trained in NEPA and related regulations to coordinate compliance with this Order.~~

²
~~(2)~~ Review proposed actions for environmental requirements per applicable NEPA requirements. Approve those actions that would require no further MAGTFTC concurrence, as identified within existing memoranda of understanding or inter-service support agreements.

³
~~(3)~~ Take appropriate mitigating action to ensure compliance with the conditions of the Decision Memorandum, FONSI or ROD. Fund, and implement necessary corrective action resulting from failure to comply with the provisions of this Order.

⁴
~~(4)~~ Ensure operations and training events are conducted in accordance with the requirements of reference (b).

k. Non-Federal Agencies, Organizations and Individuals operating aboard MCAGCC

(1) Serve as action sponsor for actions proposed to be conducted aboard MCAGCC, and actions requiring the concurrence of MAGTFTC.

(2) Prepare and submit required documentation to the appropriate MAGTFTC staff section, and participate in the MAGTFTC EIWG and EIRB meetings as proposals are considered.

(3) Take appropriate mitigating action to ensure compliance with the conditions of the Decision Memorandum, FONSI or ROD.

(4) Fund and implement necessary corrective action resulting from failure to comply with the provisions of this Order.

l. Environmental Impact Review Board

(1) Meet on a monthly basis, or as required, to consider EAs, EISs and other issues referred by the EIWG. When possible, review by the EIRB may be conducted by staffing NEPA documents to Board members for review, concurrence and signature.

(2) Invite local civilian organizations or the general public to attend EIRB meetings as appropriate.

(3) Ensure all proposed projects achieve full compliance with legal and procedural requirements, have undergone appropriate staff review and recommend revision or approval to the Commanding General.

(4) Ensure all changes or improvements to each EA and EIS are implemented prior to submittal to the Commanding General.

(5) Provide continual review of the MAGTFTC NEPA process to ensure compliance with the spirit and intent of the Act.

m. Environmental Impact Working Group

(1) Meet on a monthly basis, or as required, to consider environmental documentation (CATXs, EAs and EISs) and other issues referred to the EIWG.

(2) Ensure all proposed projects achieve full compliance with legal and procedural requirements, and have undergone appropriate staff review and recommend revision or approval to the Head, NREA and the EIRB as appropriate.

(3) Require preparation of the FONSI, as applicable, and forward to the EIRB with accompanying EA.

(4) Ensure all changes or improvements to each Decision Memorandum are implemented prior to submittal to the Head, NREA.

(5) Refer controversial application of CATXs and disposition disputes to the EIRB for consideration and resolution.

(6) Provide continual review of the Combat Center NEPA process to ensure compliance with the spirit and intent of the Act.

n. Environmental Compliance Review Board

(1) Meet as needed and as directed by the Chairperson.

(2) Provide input to the Chairperson and assist in the decision making process in order to resolve current environmental compliance and protection issues that have base-wide implications.

(3) Assist in the development of environmental policy to be implemented through appropriate Combat Center Orders.

o. Coordinating Instructions

(1) The National Environmental Policy Act of 1969, is the basic national charter for the protection of the environment. NEPA requires that federal agencies consider the environmental impacts of proposed actions in the decision-making process. Reference (a) provides the Marine Corps procedures for compliance with NEPA and related regulations. Reference (b) is MCAGCC's Standing Operating Procedures for Range Training Areas (SOP for RTA) and addresses environmental issues for units/personnel training in MCAGCC's RTA's.

(2) NEPA is a procedural law that requires full public disclosure of environmental impacts, alternatives, and mitigation measures expected from proposed actions. In reviewing an action for environmental considerations, the action sponsor and decision-maker will determine applicability and requirements of such laws as the Clean Water Act, Endangered Species Act and Clean Air Act, and factor those requirements into the overall decision to conduct an action. Actions subject to NEPA include all new, and some continuing activities. Actions will include projects and programs entirely or partly funded, assisted, conducted, regulated or approved by a federal agency, which have potential to impact the human environment. Typical actions may include implementation or approval of specific projects, such as construction or management activities located aboard MCAGCC (e.g., MILCON projects, public/private venture projects, special projects, and land

acquisition). An action sponsor, as used in this document, is defined as the initiator of an action, to include MAGTFTC staff and all proponents whose proposal requires the concurrence of the MAGTFTC Commanding General (e.g., USMC and other federal tenants, non-resident federal agencies operating aboard MCAGCC, and all non-federal organizations operating aboard MCAGCC).

(3) Reference (a) requires that at the earliest possible time in the planning process, that USMC planning includes a systematic examination of the likely environmental consequences of taking a proposed action. The required review, documentation and mitigation for a proposed action may vary significantly, but are generally dependent on the anticipated degree of environmental impact. The environmental documentation process for MCAGCC is described in enclosure (1).

(4) Specific categories of actions found by the federal agency to have no significant effect on the human environment, individually or cumulatively, may be categorically excluded from further environmental consideration. A list of approved Department of Navy categorical exclusions (CATX's), and conditions for their use can be found in enclosure (3). Reference (a) requires that an Environmental Assessment (EA), be prepared for all actions subject to NEPA, except: actions covered by a CATX; actions sufficiently covered by an earlier environmental document; or those actions for which a decision has already been made to prepare an Environmental Impact Statement (EIS). An EIS is required for those actions that are likely to have a significant impact on the quality of the human environment or have potentially controversial environmental impacts.

(5) Reference (b), MCAGCC's SOP for RTA's, is the primary governing directive for training/operations conducted aboard the Combat Center. When used in conjunction with the Geographic Information System (GIS) data layers, the Integrated Natural Resources Management Plan (INRMP), and the Integrated Cultural Resources Management Plan (INCRMP), reference (b) will assist commanders in understanding, analyzing, and avoiding significant impacts to the environment. Compliance with reference (b) is most effective when incorporated into letters of instruction and environmental annexes to operations orders.

(6) To achieve essential mission and functional requirements while ensuring protection of our natural resources, the planning, review and documentation required by the references, and related mitigation, must be a concerted, multidisciplinary effort among action sponsors, trainers, facility planners and environmental planners. In addition to the environmental impacts, federal decisions may also consider economic, technical, legal and policy factors.

(7) This Order assigns responsibilities and action to the Action sponsor, two review panels, and the Combat Center environmental staff. As described herein, the action sponsor prepares and funds the NEPA documentation; specified staff sections review and approve identified categories of actions; the two environmental review panels advise the environmental staff and the Commanding General on effects of decisions; and the Combat Center environmental staff assists in the document preparation, review and determination of significance, approves specified categories of actions, and advises the Commanding General of environmental impacts and recommended action.

(8) MAGTFTC will ensure that conduct of the mission and provision for the national defense is done in a manner consistent with national environmental policies. In so doing, MAGTFTC recognizes that the NEPA process includes the systematic examination of the likely environmental consequences of implementation of a proposed action. To be an effective decision-making tool, this process shall be integrated with project planning at the earliest possible opportunity. This ensures avoidance of conflicts and delays while incorporating environmental values in planning and decision-making.

5. Administration and Logistics. Distribution Statement A-1 directives issued by the Commanding General are distributed via e-mail. This Order can be viewed at <http://www.29palms.usmc.mil/dirs/manpower/adj>.

6. Command and Signal

- a. Signal. This Order is effective the date signed.
- b. Command. This Order is applicable to the Marine Corps Total Force.


J. D. NICHOLS
Chief of Staff

DISTRIBUTION: A-1



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TWENTYNINE PALMS, CALIFORNIA 92278-8100

CCO 5090.4A Ch 1
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29 Sep 03

COMBAT CENTER ORDER 5090.4A Ch 1

From: Commanding General
To: Distribution List

Subj: NATIONAL ENVIRONMENTAL POLICY ACT (NEPA) COMPLIANCE

Ref: (a) MCO P5090.2
(b) CCO P3500.4F

Encl: (1) Page insert (page 5 of enclosure (3)) to CCO 5090.4A

1. Situation. To direct pen changes and a page insert to basic Order.

2. Action

a. On page 5, paragraph 4., delete subparagraph j.(2)., and renumber subparagraphs (3), (4) and (5) to read: " (2), (3) and (4)", respectively.

b. On page 6, paragraph 4., change subparagraph o.(1)., fourth sentence to read: "Reference (b) is MCAGCC's Standing Operating Procedures for ... RTAs."

c. On page 7, paragraph 4., change subparagraph o.(7)., to read: " This Order assigns responsibilities and action to the Action Sponsor, two... staff. As described herein, the Action sponsor prepares ... recommended action."

d. On Enclosure (1), page 2, paragraph 3., add third sentence to subparagraph c., to read: " The NEPA Coordinator will promptly submit a copy of the signed FONSI to the CMC (Attn: Code LFL)."

e. On Enclosure (3), page 1, paragraph 1., change subparagraph b., to read: "Documentation of a CATX will take the form of a Decision Memorandum. Enclosure (4) is MAGTFCTC's required Decision Memorandum form template. A Decision Memorandum is a record demonstrating that an action has been reviewed by the MAGTFCTC environmental staff, and has been determined to be categorically excluded from further NEPA documentation. A Decision Memorandum may require that the action sponsor take mitigation measures. The Head, NREA approves or recommends approval of the Decision Memorandum."

f. On Enclosure (3), page 1, paragraph 3., add "of this enclosure" between paragraph 4b and the comma.

g. Append Enclosure (3), add page 5 (enclosure (1)) of this document to Enclosure (3).

h. On Enclosure (5), page 1, change paragraph c., to read: "Decision Memorandum - A decision memorandum is prepared by/for the Action Sponsor ...is found in enclosure (4)."

3. Certification. Reviewed and approved this date.

4. Filing Instructions. File immediately behind the signature page of the basic Order.


J. D. NICHOLS
Chief of Staff

DISTRIBUTION: A-1

ENVIRONMENTAL DOCUMENTATION PROCESS

1. Action Proposal

a. The NEPA process used at MCAGCC is depicted graphically in the flow chart in figure (1). The action sponsor shall consider environmental impacts in the early stages of a proposed action. The action sponsor shall prepare a Request For Environmental Impact Review (REIR) Form (enclosure (2)), by providing the information requested in blocks 1 through 43. The authorized representative for the action sponsor shall sign the REIR in block 44. The action sponsor shall forward the REIR to the MAGTFTC NEPA Coordinator for review.

b. A proposed action will be considered complete and ready for the environmental impact review process when all anticipated impacts are sufficiently detailed to enable the environmental staff to address any impacts on the human environment. These provisions allow for the environmental impacts of the proposal to be addressed early in the planning. This also allows for the later identification of supplemental information/impacts as the proposed project becomes site specific. This process has been designed to ensure that planning and decisions reflect environmental considerations, avoid delays, and minimize conflicts.

c. Upon completion of the initial environmental review by NREA staff, the NEPA Coordinator will either: (1) return the REIR to the action sponsor for further action/information, (2) return the REIR to the action sponsor approved, or (3) submit the REIR to the EIWG for review.

2. Environmental Impact Working Group

a. The EIWG, working with the action sponsor, will review the REIR, conduct necessary research, resolve issues, and recommend modifications to the proposed action, as necessary.

b. The EIWG will identify the need for additional State or Federal permits, approvals, or reviews.

c. Once the proposed action has been thoroughly reviewed, the EIWG shall adequately document one of the following recommendations:

(1) That the proposed action falls within a CATX, and there are no applicable exceptions to the use of the CATX.

(2) That the proposed action is a continuing activity that is not likely to cause substantial environmental degradation.

(3) That the proposed action will require either an EA or EIS. The EIWG will assist the action sponsor on estimated cost and time frames for preparation of an EA or EIS.

3. EIRB Executive Agent. Upon receipt of the package from the EIWG, the EIRB Executive Agent will take one of the following actions as necessary:

a. Inform the Staff Action sponsor that no further environmental review is required and the proposed action can be implemented without further delay.

ENCLOSURE (1)

b. Inform the Staff Action Sponsor that the proposed action will require an EA or EIS. The Staff Action Sponsor will work with the NREA staff in arranging for the preparation for the required environmental documentation. Similar recurring actions should be aggregated into a single proposal for evaluation under NEPA; "programmatic" NEPA documents require careful one-time scrutiny, but will reduce paperwork and review time for future similar actions.

c. Once an EA/EIS has been completed, the EIWG will place the findings on the agenda for the next EIRB meeting for recommendations to the Commanding General. These recommendations will generally be in the form of a Finding of No Significant Impact (FONSI) or a Record of Decision (ROD). *The NEPA Coordinator will promptly submit a copy of the signed FONSI to the CMC (Attn: Code LFL).*

d. When an EA has concluded with a FONSI, the EIRB will make recommendations to the Commanding General, usually in the form of a concurrence/non-concurrence. When concurrence is recommended, the Commanding General signs the FONSI, which is then returned to the action sponsor for publication in the Public Notice section of the local newspaper.

e. In the case of a Record of Decision after an EIS has been completed, the EIRB will meet and make a recommendation to the Commanding General for concurrence/non-concurrence on the findings. When concurrence is recommended, the ROD is forwarded to Headquarters Marine Corps to be staffed by the Headquarters EIRB to the Department of the Navy for signature.

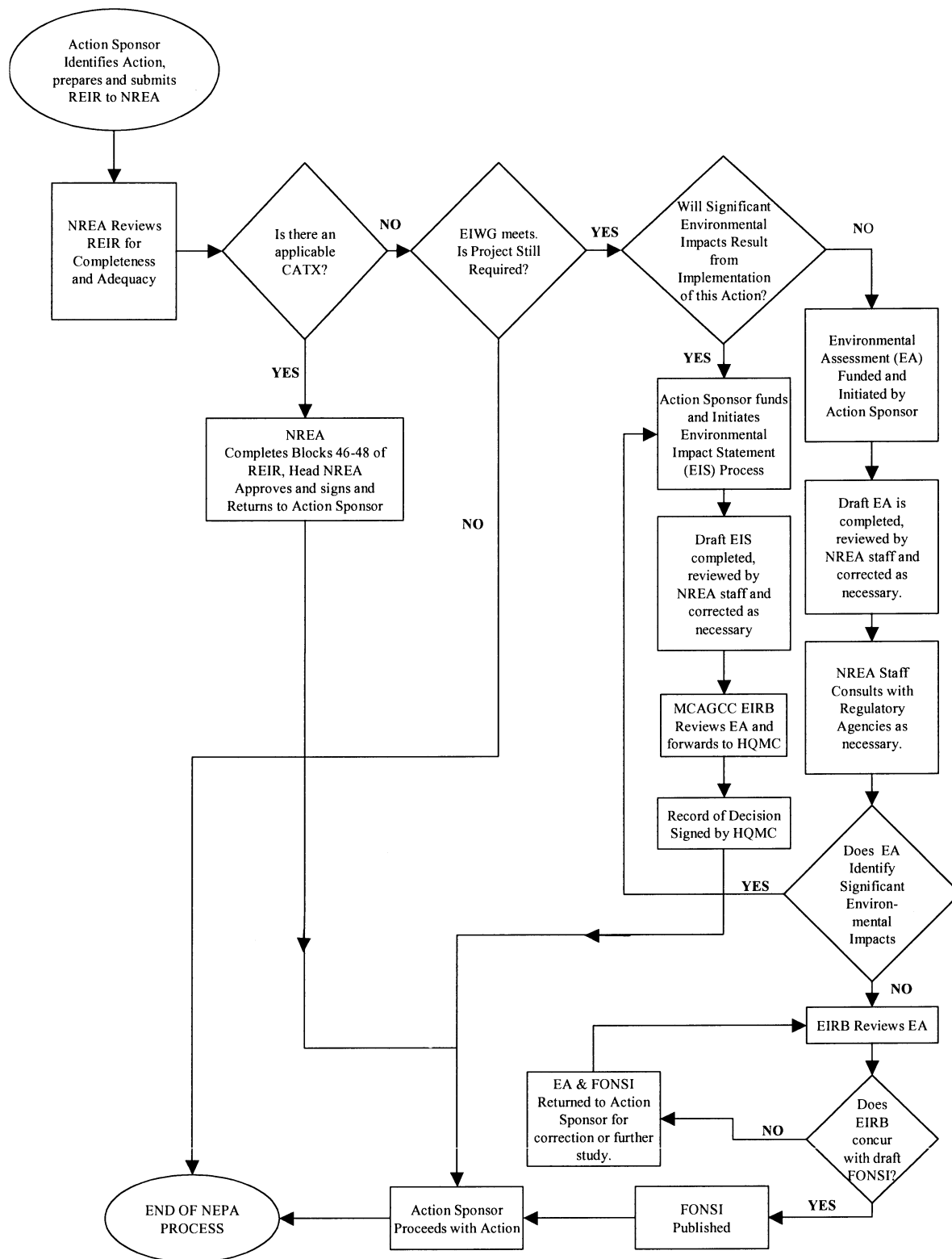


Figure 1. MCAGCC NEPA Process Flow Chart

ENCLOSURE (1)

REQUEST FOR ENVIRONMENTAL IMPACT REVIEW

PART I - GENERAL INFORMATION

1. Project Name:		2. Date:	
3. Action Sponsor:		4. Staff Action Sponsor:	
5. Point of Contact:		6. Telephone Number:	
7. Specific Project Site Location:			
7A. Project Number:		(INCLUDE BUILDING NUMBERS, STREET NAMES OR SIX DIGIT GRID COORDINATES. ATTACH MAPS OF PHYSICAL LOCATION.)	

PART II - PROJECT DESCRIPTION

8. Describe the proposed project. Use a separate sheet of paper labeled: REQUEST FOR ENVIRONMENTAL IMPACT REVIEW (PART II) - PROJECT DESCRIPTION (or utilize Part III, Section I: General Comments). Write clearly and with enough detail to fully explain the project or activity. Include the following in the project description:

1. Purpose and need for the proposed action (What, When, Where, How and Why).
2. Reasonable alternatives to proposed action including the effect of no action.
3. Describe any associated support or facility requirements.
4. List other existing or proposed actions that might cause impacts considered cumulative with the impacts of the proposed action.

* Any digging of holes must be addressed (fox holes, pits, trenches, etc.)

PART III - ENVIRONMENTAL QUESTIONNAIRE

Place a check mark or X in the YES or NO box for every question. Please fill-in all applicable blanks as the questions warrant. All yes answers must be explained. If you are unsure of answer leave blank, the NEPA Coordinator will provide answer based off knowledge or actual conditions.

A. AIR QUALITY				YES	NO	
9. Will there be any repairs or new construction with boilers, emergency generators, fuel storage tanks, etc., involved?						
10. Will there be any paints, solvents, degreasers, or other vapor producing materials be used or will any facilities constructed or modified for their use?						
11. Will the proposed action involve the agitation, removal or disposal of asbestos or lead-based paint?						
12. Will ozone depleting substance as refrigerants or solvents be used, replaced or removed in the proposed action?						
13. Will the proposed action cause an increase		or decrease		In dust emissions?		
14. Will pollution control equipment or reduction techniques be used as part of this action?						
B. LAND QUALITY					YES	NO
15. Will the proposed action require the use of earthen fill material or require the disposal of excess earthen materials?						
16. Where is the proposed area for obtaining earth		Excess material disposal				
17. Will there be an increase in the level of soil disturbance?						
18. Will there be any damages to native vegetation		or increase of vegetation		With the proposed action?		
19. Does the project involve the purchase, lease, sale or transfer of any real estate?						
20. What is the amount of acres involved with the proposed project?						
C. HAZARDOUS WASTE OR HAZARDOUS MATERIALS					YES	NO
21. Does the proposed action involve the use of herbicides, insecticides or other pesticides?						

ENCLOSURE (2)

22. Will any toxic materials, hazardous materials, or hazardous waste be used, stored, treated or require during and after the proposed action is complete?									
23. Will petroleum, oil and lubricants (POL) be routinely stored or used at the site during and the proposed action?									
24. Does the proposed action involve on-site disposal of sanitary waste or wastewater waste via a septic tank, trench, pit, or foxhole?									
25. Will there be any action in/on or near (less than 75 feet) a natural desert wash or playa (dry lake)?									
26. Is the proposed action being carried out in the Sandhill Training Range?									
27. Will there be an increase in run-off, erosion or siltation during and after the proposed action?									
28. Will waste water be connected or discharged to one or more of the following:						Sanitary Sewer			
Potable Water System			Industrial Waste System			Storm Water Conveyance System			
E. NATURAL AND CULTURAL RESOURCES								YES	NO
29. Will any threatened or endangered species of plant or animal be affected?									
30. Are surveys required to determine the presence or absence of threatened or endangered species?									
31. Does the area contain historic or prehistoric artifacts?									
32. Are surveys required to determine if cultural or prehistoric artifacts are present?									
33. Will actions take place in or adjacent to a designated environmentally sensitive area (as defined in CCO 5090.1B) ?									
F. SOCIAL - ECONOMICS CONSIDERATIONS								YES	NO
34. Will the proposed action cause an increase <input type="checkbox"/> or decrease <input type="checkbox"/> in the on- or off-base military population or an increase <input type="checkbox"/> , a decrease <input type="checkbox"/> , or a change <input type="checkbox"/> Of traffic patterns <input type="checkbox"/> Or off-base <input type="checkbox"/> on-base <input type="checkbox"/>									
35. Will there be an increase demand on a local or state governments to provide services?									
36. Will air traffic increase			or flight patterns be altered						
37. Will any noise, traffic, dust, or visual aesthetic of the desert region be generated or altered which may effect off-base persons, property or wildlife?									
38. Is there any known controversy associated with the type of action proposed?									
G. UTILITIES AND SERVICES								YES	NO
39. Will any new or modifications to existing utilities be required? If so, please mark:									
Gas	Phone	Electric	Potable Water	Septic	Industrial Wastewater	Non-Pot Irrigate Water	High-Temp Hot Water		
H. GENERAL CONSIDERATIONS								YES	NO
40. Are alternative sites or actions available for the proposed action? If so, please describe in Part II - Project Description.									
41. Are alternative procedures, practices or technologies available to minimize environmental impact or utility use? If so, please describe in Part II - Project Description.									
42. Does the proposed action fall within the terms of a delegated Categorical Exclusion (Cat Ex) approval authority document? If so, complete Part IV - Staff Action Sponsor Certification.									

REQUEST FOR ENVIRONMENTAL IMPACT REVIEW**I. GENERAL COMMENTS**

Use this space to explain any yes answers unless otherwise noted above or to provide answers to Part II - PROJECT DESCRIPTION.

PART IV - STAFF ACTION SPONSOR CERTIFICATION

44. If a Categorical Exclusion (CAT EX) has been found applicable, state the paragraph number from the CAT EX ANALYSIS Section of CCO 5090.4:

45. Signature of Authorizing Official:

(NAME, TITLE, SIGNATURE)	DATE
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ENCLOSURE (2)

REQUEST FOR ENVIRONMENTAL IMPACT REVIEW									
PART V - NREA STAFF REVIEW ONLY								YES	NO
46. Will this action cause a reduction		increase		or status quo		in air pollution?			
47. Are there any Installation Restoration (IR) Site(s) near the proposed action? Which Site No.:									
48. Will any threatened or endangered species of plant or animal be affected?									
49. Are surveys required to determine the presence or absence of threatened or endangered species?									
50. Does the area contain historic or prehistoric artifacts?									
51. Are surveys required to determine if cultural or prehistoric artifacts are present?									
52. Is this a change in land use from what is presently shown in the MCAGCC Master Plan or Activity Planning & Management Model (APMM)?									
53. Are there any permits, approvals or consultation required for the proposed action? If so please check appropriate area(s).									
AIR	WASTE, POT, STORM WATER	UST/AST	DREDGE & FILL	SHPO	USF&W/ CAF&G	CMC	OTHER		
54. Recommended Modifications or Requirements to proposal or action:									
PART VI - EIWG REVIEW ONLY									
55. SEE THE APPROPRIATE CHECKED BOX:								YES	NO
A. The Proposed Action Falls Within The Categorical Exclusion Number and other Appl Exceptions:									
B. The Proposed Action Is a Continuing Activity Not Likely to Cause Substantial Environmental Degradation									
C. The Proposed Action Will Require An Environmental Assessment by In-House Personn									
D. The Proposed Action Will Require An Environmental Assessment by Outside Services									
E. The Proposed Action Will Require An Environmental Impact Statement (EIS) by Outs Services.									
56. SPECIAL REMARKS:									
SIGNATURE OF THE EIWG CHAIRMAN					SIGNATURE OF THE INSTALLATIONLAW ATTORNEY				
PART VII - ENVIRONMENTAL IMPACT REVIEW BOARD EXECUTIVE AGENT RECOMMENDATION								YES	NO
57. The proposed action requires no further environmental review. Any explicit guidelines in Part VI or V of this form must be followed.									
58. The proposed action requires that an EA/EIS be prepared. See special remarks in section above.									
EIB EXECUTIVE AGENT By direction									

ENCLOSURE (2)

LIST OF CATEGORICAL EXCLUSIONS

1. Categorical Exclusions (CATX)

a. Certain typical actions found to have no significant effect on the human environment, individually or cumulatively, have been identified by the Secretary of the Navy as CATX. Per reference (a), use of a CATX must be documented. This enclosure describes the decision and documentation process for application of a CATX. When NEPA applies, and use of a CATX is not appropriate, either an EA or EIS must be prepared.

b. Documentation of a CATX will take the form of a Decision Memorandum. Enclosure (4) is MAGTF's required Decision Memorandum Form template. A Decision Memorandum is a record demonstrating that an action has been reviewed by the MAGTF's environmental staff, and has been determined to be categorically excluded from further NEPA documentation. A Decision Memorandum may require that the action sponsor take mitigation measures. The Head, NEPA approves or recommends approval of the Decision Memorandum.

2. Taking Action

a. Those actions that are determined to require further environmental review shall be forwarded to the Head, NREA. Approval of these actions shall be documented by Decision Memorandum or REIR, which describes the action, applicable exclusions, facts supporting their use and specific considerations of the exceptions to the use of a CATX.

b. Like actions may be grouped and, when appropriate, categorically excluded from further documentation by a single Decision Memorandum or REIR. An action sponsor may also identify recurring activities and projects for a programmatic Decision Memorandum. Group and programmatic Decision Memoranda shall be issued by the Head, NREA.

c. No irretrievable, irreversible commitment of resources may be taken by the action sponsor until the decision document is appropriately approved and signed.

3. Extraordinary Circumstances. When an action falls within the categories listed in paragraph 4b, a CATX may not be used if the proposed action or category of actions: ^{of this enclosure}

- a. Would affect public health or safety;
- b. Would adversely affect a site that includes wetlands, endangered or threatened species, historical or archeological resources, or introduce hazardous wastes;
- c. Has likely effects on the human environment that are highly uncertain, involve unique or the potential for unknown risks, or that are scientifically controversial;
- d. Establishes precedents or makes decisions in principle for future actions with significant effects; or
- e. Threatens to violate federal, state, or local laws or requirements imposed for protection of the environment.

ENCLOSURE (3)

4. Application of CATXs

a. Determining Use of CATXs. To use a CATX, action sponsors shall determine that all of the following are true (consultation with the Head, NREA should be made if there is any doubt regarding a particular project or action):

(1) None of the extraordinary circumstances from paragraph 3 above are present.

(2) The action or category of actions is encompassed by one, or more, of the CATX listed in paragraph 4b below.

(3) The action is not a major federal action significantly affecting the quality of the human environment.

(4) There are no significant individual or cumulative effects on the environment as a result of the action or category of actions.

(5) The action or category of actions involves no greater scope or size than is normal for this category of action.

(6) There is no potential for significant change in existing conditions at the site of the proposed action.

b. List of Categorical Exclusions

(1) Routine personnel, fiscal and administrative activities involving military and civilian personnel; e.g., recruiting, processing, paying, and record-keeping.

(2) Reductions in force when impacts are limited to socioeconomic factors.

(3) Routine movement of mobile assets such as ships and aircraft, home port reassignments (when no new support facilities are required) to perform as operational groups, and/or for repair and overhaul.

(4) Relocation of personnel into existing federally-owned or commercially-leased space that does not involve a substantial change in the supporting infrastructure; e.g., an increase in vehicular traffic beyond the capacity of the supporting road network to accommodate such an increase.

(5) Studies, data, and information-gathering, that involve no physical change to the environment; e.g., topographic surveys, bird counts, wetland mapping, forest inventories, and timber cruising.

(6) Routine repair and maintenance of existing facilities and equipment, to maintain existing operation and activities, including maintenance of improved and semi-improved grounds such as landscaping, lawn care, and minor erosion control measures. (Minor erosion control measures need to be reviewed by NREA for compliance with the Endangered Species Act and the National Historic Preservation Act).

(7) Alteration of and additions to existing structures to conform or provide conforming use, specifically required by new or existing applicable legislation or regulations; e.g., hush houses for aircraft engines and scrubbers for air emissions.

(8) Routine actions normally conducted to operate, protect, and maintain Navy-owned and/or controlled properties; e.g., maintaining law and order, physical plant protection by military police and security personnel, and localized pest management activities on improved and semi-improved lands conducted per applicable federal and state directives.

(9) New construction that is consistent with existing land use, and when completed, the use or operation of which complies with existing regulatory requirements and constraints; e.g., a building on a parking lot with associated discharges/runoffs within existing handling capacities, a bus stop along a roadway, or a foundation pad for portable buildings within a building complex. (Cultural and biological surveys are usually required to determine compliance with the Endangered Species Act and the National Historic Preservation Act).

(10) Procurement activities, which provide goods and support for routine operations.

(11) Day-to-day manpower resource management and research activities that are per approved plans and interagency agreements, and that are designed to improve and/or upgrade the Marine Corps ability to manage those resources.

(12) Decisions to close facilities, decommission equipment, and/or temporarily discontinue use of facilities or equipment (where such equipment is not used to prevent/control environmental impacts). This paragraph does not apply to permanent closure of public roads.

(13) Contracts for activities conducted within established laboratories and plants to include contractor-operated laboratories and plants, within facilities where all airborne emissions, waterborne effluent, external radiation levels, outdoor noise, and solid and bulk waste disposal practices are in compliance with existing applicable federal, state and local laws and regulations.

(14) Routine movement, handling, and distribution of materials, including Hazardous Materials and Hazardous Wastes, that when moved, handled, or distributed are per applicable regulations.

(15) Demolition, disposal, or improvements involving buildings or structures not on or eligible for listing on the National Register of Historic Places, and when per applicable regulations applying to removal of asbestos, polychlorinated biphenyl (PCB) and other hazardous materials.

(16) Acquisition, installation, and operation of utility and communication systems, data processing cable, and similar electronic equipment that use existing rights of way, easements, distribution systems, and/or facilities.

(17) Renewals and/or initial real estate in-grants and out-grants involving existing facilities and land wherein the use does not change significantly. This includes, but is not limited to, existing federally-owned or privately-owned housing, office, storage, warehouse, and laboratory and other special purpose space.

(18) Grants of license, easement, or similar arrangements for the use of existing rights-of-way or incidental easements complementing the use of existing rights-of-way for use by vehicles (not to include significant increases in vehicle loading); for electrical, telephone, and other transmission and communication lines; for water, wastewater, stormwater, and irrigation pipelines, pumping stations and facilities; and for similar utility and transportation uses.

(19) Transfer of real property from the Marine Corps to another military department or to another federal agency, and the granting of leases (including leases granted pursuant to the agricultural outleasing program where soil conservation plans are incorporated), permits, and easements where there is no substantial change in land use or where subsequent land use would otherwise be categorically excluded.

(20) Disposal of excess easement interests to the underlying fee owner.

(21) Renewals and minor amendments of existing real estate grants for use of Government-owned real property where no significant change in land use is anticipated.

(22) Pre-lease exploration activities for oil, gas, or geothermal reserves; e.g., geophysical surveys.

(23) Return of public domain lands to the Department of the Interior.

(24) Land withdrawal continuances or extensions that merely establish time periods and where there is no significant change in land use.

(25) Temporary closure of public access to Marine Corps property to protect human or animal life.

(26) Engineering effort undertaken to define the elements of a proposal or alternatives sufficiently so that the environmental effects may be assessed.

(27) Actions that require the concurrence or approval of another federal agency where the action is a categorical exclusion of the other federal agency.

(28) Maintenance dredging and debris disposal where no new depths are required, applicable permits are secured, and disposal will be at an approved disposal site.

(29) Installation of devices to protect human or animal life, e.g., raptor electrocution prevention devices, fencing to restrict wildlife movement onto airfields, and fencing and grating to prevent accidental entry to hazardous areas.

(30) Natural resources Management actions undertake or permitted pursuant to agreement with or subject to regulation by Federal, state, or local organizations having management responsibility and authority over the fishing seasons established by state authorities pursuant to their state fish and game management laws. With regard to natural resources regulated by another Federal agency, the responsible command may cooperate in any environmental analysis that may be required by the other agency's regulations.

(31) Approval of recreational activities which do not involve significant physical alteration of the environment or increase human disturbance in sensitive natural habitats and which do not occur in or adjacent to areas inhabited by endangered or threatened species.

(32) Routine maintenance of timber stands, including issuance of down-wood firewood permits, hazardous tree removal, and sanitation salvage.

(33) Reintroduction of endemic or native species (other than endangered or threatened species) into their historic habitat when no substantial site preparation is involved.

5090
Ser _____
[DATE]

DECISION MEMORANDUM FORMAT

SUBJ: MEMORANDUM OF DECISION FOR CATEGORICAL EXCLUSION

Encl: (1) [COPY OF REIR AS A MINIMUM AND OTHER DOCUMENTS AS NECESSARY]

1. ACTION SPONSOR: _____
2. PROGRAM/PROJECT: [DESCRIBE PROJECT/ACTION]
3. DESCRIPTION OF PROPOSED ACTION:
4. REASON FOR CATEGORICAL EXCLUSION: 32 CFR Part 775.6(f) contains categorical exclusion number _____ which is applicable to the action to be accomplished through this action. The National Environmental Policy Act Exclusion states, "_____". The following statements are made for the record to clarify that there are no extraordinary circumstances associated with this proposed action:
 - a. There is no reason to anticipate any effect on public health or safety.
 - b. The action is not expected to impact wetlands, endangered species or threatened species, historic or archaeological resources, or hazardous wastes.
 - c. The proposed action involves no unique, highly uncertain, or scientifically controversial risks or effects on the human environment.
 - d. There appears to be no potential that this action will establish an undesirable precedent.
 - e. The action does not threaten violation of any " law or requirement imposed for the protection of the environment.
5. Therefore, it has been determined that this project is categorically excluded from further NEPA documentation by the aforementioned exclusion.

Signature of Action Sponsor

Signature of Commanding General
or his designated
representative

ENCLOSURE (4)

Definitions

- a. Action Sponsor - The organization or unit proposing the action.
- b. Categorical Exclusion - A list of actions that have been found by the Department of the Navy not to have a significant effect on the human environment. A list of approved categorical exclusions is provided in enclosure (3).
- c. Decision Memorandum - A decision memorandum is prepared ^{by/for} ~~by~~ the action sponsor for an action that is identified under the listed categorical exclusions. Generally, the decision memorandum includes a description of the proposed action and the reason for categorically excluding it. A basic format for a decision memorandum is found in enclosure (4).
- d. Environmental Assessment - EA's are prepared for those actions that are not included on the list of categorical exclusions or that could result in degradation of environmental quality.
- e. Environmental Impact Statement - EIS's are prepared to provide full discussion of significant environmental impacts, and are used to inform decisionmakers and the public of alternatives considered and reasonable actions planned to avoid or minimize adverse impacts or enhance the quality of the human environment.
- f. Environmental Impact Review Board (EIRB)/Environmental - The EIRB is an executive body that meets as required. The Chairperson calls the meeting and the Executive Agent sets the agenda.
- g. Environmental Compliance Review Board (ECRB). The ECRB is an executive body that meets as needed to consider current environmental compliance and protection issues. The standing membership is identical to the EIRB. The Chairperson will task or assign ad hoc members to the Board from base organizations or tenant commands as required or as recommended by the Executive Agent. The Chairperson calls the meetings and the Executive Agent sets the agenda.
- h. EIRB Chairperson - Chief of Staff, MAGTFTC.
- i. EIRB Executive Agent - Division Head, Natural Resources and Environmental Affairs Division.
- j. Environmental Impact Working Group (EIWG) - The EIWG is a standing body that meets to address one or more proposed actions on a project-by-project basis. The Chairperson announces the meetings. The EIWG assists the EIRB by reviewing proposed actions, conducting necessary research, identifying/seeking resolutions to issues, and identifying needed permits, approvals, or reviews. The EIWG also recommends the type of environmental documentation for proposed actions and recommends modifications to draft documentation prior to review by the EIRB.
- k. EIWG Chairperson - The Deputy, Natural Resources and Environmental Affairs Division.

ENCLOSURE (5)

l. Finding of No Significant Impact - A document in which MAGTFTC briefly presents reasons why an action, not otherwise categorically excluded, will not have a significant effect on the human environment, and for which an EIS will not be prepared.

m. Human Environment - The natural and physical environment and the relationship of people with those environments. When economic, social, natural, or physical environmental effects are interrelated, then the appropriate environmental document will discuss all of these effects on the human environment.

n. Mitigation - Actions that minimize, rectify, reduce, eliminate, or compensate for the environmental impacts of a proposed action.

o. Monitoring - Supervising and regulating the implementation of approved actions, including mitigation and other environmental protection measures required by the EIWG, EIRB, HQMC or this order.

p. Proposed Action - Projects, programs, exercises, construction, equipment testing, maintenance and associated activities. The promulgation of policies, regulations, instructions, manuals, or major policy statements which, when implemented, could potentially impact the human environment.

q. Record of Decision - A concise public document providing a rationale for the alternative selected for implementation as presented in an Final Environmental Impact Statement.

r. Request for Environmental Impact Review (REIR) Form - A form used to address possible environmental impacts associated with proposed projects (enclosure 2).

s. Staff Action Sponsor - The MAGTFTC staff officer having cognizance over the proposed action.